(1)

(03)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.).

CIVIL REVISION NO. 121 ....03.

APPLICANTS
PLAINTIFFS :

1. Smt. Anarkali Widow of Narayan Prasad, Aged 60 yrs.

2. Harishanker, S/o. Narayan Prasad, Aged 30 years.

3. Gauri Shanker, S/o. Narayan Prasad, Aged 27 years.

All R/o. Village Semra, Tahsil and Distt. Bilaspur (CG).

4. Krishna Kumari, W/o. Shyam Sharan, Aged 37 years, R/o. Bharari, Tahsil and Distt. Bilaspur, (Chhattisgarh).

5. Jankibai, Aged 32 years, W /o. Jugal Kishore, R/o. Village Nawagaon, Tahsil and Distt. Bilaspur (C.G.).

6. Kanti, Aged 24 years, W/o. Suresh Kumar, R/o. Village Ghoghara, Tahsil Nawagaon, Distt. Durg (Chhattisgarh).

P. R. No. 682/03
Presented by Shri Anand Kumar Gupta
dated 1.5.03

V E R S U S

NON-APPLICANTS
DEFENDANTS :

1. Ambika Devi, W/o. Vijay Kumar Tiwari, Aged 35 years.

2. Manish Kumar, Aged 13 years, S/o. Late Vijay Kumar Minor Through : Guardian Mother Ambika Devi, Aged 35 years,

Both R/o. Village Semra, Tahsil and Distt. Bilaspur (CG)

CERTIFIED COPY
Asstt.
HIGH COURT BILASPUR

contd...2....

3. State of Chhattisgarh,
Through : Collector Bilaspur
(Chhattisgarh).

CIVIL REVISION UNDER SECTION 115 OF CIVIL PROCEDURE CODE 1908.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

(22)

मामला क्रमांक C.R. No. 121/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	18.06.2003 Shri Shree Kumar Agarwal, Sr. Counsel with Shri Anand Gupta, counsel for the applicants. Heard. In view of the amended provisions (Proviso to sub-section1) contained in Section 115 of Code of Civil Procedure,1908 this revision is obviously not maintainable. Undisputedly, a suit was filed by the present applicants in which an application for amendment was moved. The learned trial Court was of the opinion that the amendment application could not be considered, as the matter would be beyond its jurisdiction. Accordingly, an order for return of the plaint along with the enclosed application was passed. Aggrieved therewith, the applicants had moved an application for review of that order which having rejected by the trial Court this vision petition has been filed. Apart from the fact that the petition is not maintainable there could be no good ground for interference, as it cannot be said that the Court below has committed a jurisdictional error. If so advised, the applicants may take back the plaint presented before the lower Court and proceed further in accordance with law. With the aforesaid observation and direction, the revision petition stands disposed of. Sd/- P.C NAIK Judge	

[पीछे देखिये